REMARKS

Presently, claims 1-10, 12-18, 60 and 62-103 are pending in the application.

Descriptions of the prior art references discussed herein may be found in Applicants' Amendment Accompanying RCE, filed August 22, 2005, Applicants' Amendment, filed March 2, 2006, and Applicants' Amendment Accompanying RCE, filed September 22, 2006 ("September, 2006 Amendment"), each of which is incorporated herein by reference.

For the Examiner's convenience, the arguments set forth in Applicants' September, 2006 Amendment, are not repeated in their entirety here. However, with respect to the Examiner's present rejections, Applicants hereby asset all of the arguments set forth in the September, 2006 Amendment. The following remarks are intended to further clarify Applicants' position and respond to the new issue raised by the Examiner in the present Office Action.

Response to Examiner's Arguments

At pages 3 and 29 of the present Office Action, the Examiner states that the arguments made by Applicants (set forth in the September, 2006 Amendment) with respect to U.S. Patent No. 6,698,020 to Zigmond *et al.* ("Zigmond") are not persuasive. Specifically, the Examiner contends "that Zigmond discloses wherein an advertiser may purchase a specific advertisement location" (Office Action, page 29). In support of this contention, the Examiner relies on column 14, lines 17-21 of Zigmond:

> Alternatively, an advertiser may wish to display an advertisement to a viewer directly after an advertisement of a competitor in order to highlight the competitive advantages of its goods or services. Such flexibility allows advertisers to display their advertisements at a time that is likely to provide the greatest impact on the viewer.

However, despite the Examiner's assertion, there is nothing in the cited portion of Zigmond that discloses the sale of "specific queue slots," as recited in independent claim 1. Moreover, Applicants respectfully point out that the Examiner's reliance on this portion of Zigmond is misplaced, since the above-quoted language from Zigmond is taken out of context. Specifically, the preceding portions of the same paragraph of Zigmond must be read to fully appreciate the teachings of Zigmond:

> The ad selection criteria may further be used to choose advertisements based on the content of recently displayed advertisements. For example, an advertiser for one car manufacturer may want to preclude advertisements from other automobile manufacturers. (column 14, lines 13-17, emphasis added)

Thus, when read in context, it is clear that the cited portion of Zigmond teaches the use of ad selection criteria to select advertisements based on the content of recently displayed advertisements – not based on a sale of specific queue slots. Naturally, in Zigmond, an advertiser may want to select a particular ad relative to the content of the previously displayed ad. However, such disclosure does not mean that the advertiser in Zigmond ***purchased a specific queue slot***. Rather, this portion of Zigmond only suggests that an advertiser can influence what follows an ad of particular content. Stated differently, in independent claim 1, the queues comprise a plurality of queue slots. Specific queue slots are sold, thereby enabling advertisers to purchase one or more specific queue slots within a queue. Neither the cited portion of Zigmond, nor any other portion of Zigmond, teaches or suggests ***the sale of a specific queue slot***. Zigmond merely teaches that there may be a contractual relationship between the content provider and the advertisers such that the advertisers have an agreed-upon number of advertisement opportunities for their ads, and that ad selection criteria may be specified to determine which advertisement is displayed relative to the content of the previous advertisement. Neither of these teachings have anything to do with the sale of a specific queue slot itself.

Thus, for the same reasons discussed in the September, 2006 Amendment, Applicants respectfully submit that the combination of Zigmond, Guyot and Doherty,

even if proper, fails to teach or suggest all of the features of independent claim 1. In particular, Applicants respectfully disagree with the Examiner's continued assertion that Zigmond teaches "selling specific queue slots, wherein the sold specific queue slots at least partially determine the order of the ARLs in said ordered list."

Independent claims 60 and 79 recite "selling specific queue slots, wherein the sold specific queue slots at least partially determine the ordered list of the advertisements within the queues." Independent claim 97 recites, "a plurality of queue locations forming an ordered list of advertisements…; selling one or more specific individual queue locations, wherein the sold specific individual queue locations at least partially determine the ordered list of the advertisements within the queues…" For the same reasons discussed above with respect to independent claim 1, the combination of Zigmond, Guyot and Doherty does not teach or suggest all of the elements of independent claims 60, 79 and 97. Accordingly, independent claims 60, 79 and 97 are believed to be allowable over Zigmond, Guyot and Doherty, both individually and in combination.

Dependent claims 2, 7, 8, 10, 12-18, 62-78, 80-96 and 98-103 are allowable at least by their dependency on their respective independent claims 1, 60, 79 and 97.

Accordingly, for the reasons set forth above as well as those discussed in the September, 2006 Amendment, Applicants respectfully submit that the Examiner's rejection of claims 1, 2, 7, 8, 10, 12-18, 60, 62-93 and 97-103 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,698,020 to Zigmond *et al.* ("Zigmond") in view of U.S. Patent No. 6,119,098 to Guyot *et al.* ("Guyot") and further in view of U.S. Patent Publication No. 2003/0200128 Doherty ("Doherty") is overcome.

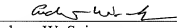
The Examiner has rejected claims 3-6 and 9 as being unpatentable over Zigmond, Guyot and Doherty, and further in view of U. S. Patent No. 6,505,169 to Bhagavath *et al.* ("Bhagavath"). As discussed above with respect to the Examiner's obviousness rejection over Zigmond, Guyot and Doherty, independent claim 1 is believed to be allowable over the combination of Zigmond, Guyot and Doherty. Applicants respectfully submit that Bhagavath does not teach or suggest any of the elements missing from such combination.

Thus, independent claim 1 is believed to be allowable over the combination of Zigmond, Guyot, Doherty and Bhagavath. Accordingly, claims 3-6 and 9 are allowable at least by their dependency on independent claim 1. Reconsideration and withdrawal of the Examiner's section 103(a) rejection of claims 3-6 and 9 over Zigmond, Guyot, Doherty and Bhagavath are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the Examiner's rejections have been overcome, and that the application, including claims 1-10, 12-18, 60 and 62-103, is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

Date: 5/29/07 By: 

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